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CLFR:181USD5

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**FROM:** Julie Erwin**FLOOR:** 20**PHONE:** (512) 536-3119**FAX:** (512) 536-4598

**RE:** U.S. Patent Application No. 10/731,554 entitled "HOMOLOGOUS 28-KILODALTON  
IMMUNODOMINANT PROTEIN GENES OF EHRlichia CANIS AND USES  
THEREOF"

**NUMBER OF PAGES INCLUDING COVER PAGE:** 9**Message:**

Attached please find a Revocation and Substitute Power of Attorney for the above-referenced U.S. patent application.

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JULIE ERWIN AT (512) 536-3119 AS SOON AS POSSIBLE.

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
David H. Walker *et al.*

Serial No.: 10/731,554

Filed: December 9, 2003

For: HOMOLOGOUS 28-KILODALTON  
IMMUNODOMINANT PROTEIN GENES  
OF EHRLICHIA CANIS AND USES  
THEREOF

Group Art Unit: 1632

Examiner: Unknown

Atty. Dkt. No.: CLFR:181USD5

CERTIFICATE OF FACSIMILE TRANSMISSION  
37 C.F.R. § 1.8I certify that this correspondence is being transmitted to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450, facsimile number (703) 892-8308 on the date  
below:11/29/04  
Date

David L. Parker

**REVOCATION AND SUBSTITUTE POWER OF ATTORNEY**  
**PURSUANT TO 37 C.F.R. §§ 3.71 and 3.73(b)**  
**AND CHANGE OF CORRESPONDENCE ADDRESS**Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints the following ten (10) patent practitioners:

David L. Parker, Reg. No. 32,165;  
Mark B. Wilson, Reg. No. 37,259;  
Steven L. Highlander, Reg. No. 37,642;  
Robert E. Hanson, Reg. No. 42,628;  
Gina N. Shishima, Reg. No. 45,104; andMichael R. Krawzsenck, Reg. No. 51,898  
Charles P. Landrum, Reg. No. 46,855  
Melissa W. Acosta, Reg. No. 45,872  
Jila Bakker, Reg. No. 53,962;  
Melissa L. Sistrunk, Reg. No. 45,579

25476636.1

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: 9 7 1 3 9 8 9 5 8 5 3

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each an attorney or agent of the firm of FULBRIGHT & JAWORSKI L.L.P., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to RESEARCH DEVELOPMENT FOUNDATION, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

David L. Parker  
FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
512/474-5201

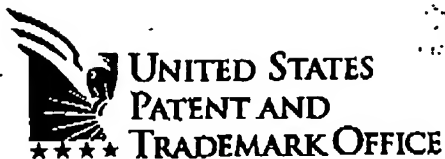
ASSIGNEE:  
RESEARCH DEVELOPMENT  
FOUNDATION

By: James F. Heiler  
Name: James F. Heiler  
Title: Vice President  
Date: November 24, 2004

ASSIGNMENT:

☐ Concurrently filed  
☒ Previously recorded  
Date: February 20, 2002  
Reel: 012650  
Frames: 0310

25476636.1



MAY 03, 2002

PTAS

Commissioner for Trademarks  
Arlington, VA 22202-3513  
www.uspto.govADLER & ASSOCIATES  
DR. BENJAMIN ADLER  
8011 CANDLE LN.  
HOUSTON, TEXAS 77071

\*102012657A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
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RECORDATION DATE: 02/20/2002

REEL/FRAME: 012650/0510  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
WALKER, DAVID H.

DOC DATE: 01/31/2002

ASSIGNOR:  
MCBRIDE, JERE W.

DOC DATE: 01/31/2002

ASSIGNOR:  
YU, XUE-JIE

DOC DATE: 01/31/2002

ASSIGNEE:  
RESEARCH DEVELOPMENT FOUNDATION  
402 NORTH-DIVISION STREET  
CARSON CITY, NEVADA 89703SERIAL NUMBER: 09660587  
PATENT NUMBER:FILING DATE: 09/12/2000  
ISSUE DATE:

012650/0510 PAGE 2

SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
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03-13-2002

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102012657

DEPT. OF COMMERCE  
Trademark OfficeRecordation Form Cover SheetTo the Honorable Commissioner of Patents and Trademarks. Please record the attached documents.

1. Name of conveying party(ies):  
David H. Walker  
Jere W. McBride  
Xue-Jie Yu
2. Name and address of receiving party(ies):  
Name: Research Development Foundation  
Address: 402 North Division Street  
Carson City, NV 89703

Additional names of conveying party(ies) attached?  
☒ NO ☐ YES

3. Nature of Conveyance: ☒ Assignment ☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ OTHER \_\_\_\_\_
- Additional names & addresses attached?  
☒ NO ☐ YES

Execution Date(s): January 31, 2002

4. Application number(s) or patent number(s): 09/660,587  
Additional numbers attached? ☒ NO ☐ YES
5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Dr. Benjamin Adler  
ADLER & ASSOCIATES  
Address: 8011 Candle Ln.  
Houston, Texas 77071
6. Total number of applications and patents involved: 1
7. Total Fee (37 CFR 3.41):.....\$40.00 ☐ enclosed ☒ authorized to charge deposit account
8. Deposit Account number: 07-1185 (duplicate copy attached if paying by deposit account).
9. Statement and signature.  
*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Benjamin Aaron Adler Ph.D., I.D.  
Name of person signing

Signature

Date

Total number of pages comprising cover sheet: 1

V13/2002 TDIAZ1 00000032 071185 09660587

FC:581

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## ASSIGNMENT

WHEREAS, we, David H. Walker, of 22 North Dansby, Galveston, Texas 77551, Jere W. McBride, 214 Tuna St., Galveston, Texas 77550, and Xue-Jie Yu, 1910 Hillside Oak Lane, Houston, Texas 77062, (hereinafter collectively called "ASSIGNORS"), are co-inventors and owners of certain new and useful improvements in *Homologous 28-Kilodalton Immunodominant Protein Genes of Ehrlichia canis and Uses Thereof*, an application for United States Letters Patent having been filed on September 12, 2000 and given United States Serial Number 09/660,587;

WHEREAS, the Research Development Foundation (hereinafter called "ASSIGNEE") a non-profit organization duly organized and existing under and by virtue of the laws of the state of Nevada, and having a place of business at 402 North Division Street, Carson City, Nevada 89703, is desirous of acquiring and ASSIGNOR is desirous of assigning to ASSIGNEE all right, title and interest in and to said invention and application identified above;

NOW, THEREFORE, ASSIGNORS, for and in consideration of Ten Dollars (\$10.00) to us in hand paid, and for other good and valuable consideration, the receipt of all of which is hereby acknowledged, do hereby sell, assign and convey upon ASSIGNEE and its successors and assigns the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by us, this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in my name or in its own name for patents, utility models, design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and we agree for us and our respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign

such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

And we do further covenant and agree that we will, at any time upon request, communicate to the Assignee, its successors, assigns or other legal representative, such facts relating to said invention and Letters Patent or the file history thereof as may be known to us, and testify as to the same in any interference or other litigation when requested, without further compensation but at the expense of said Assignee, its successors or other legal representatives.

DATE: 1/31/02

David H. Walker  
David H. Walker

STATE OF TEXAS:

COUNTY OF GALVESTON

Before me this 31 day of January, 2002, personally appeared DAVID H. WALKER known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public



My Commission Expires:

DATE: 1/31/02

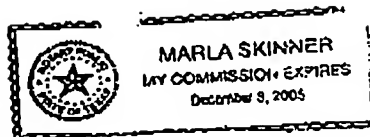
Jere W. McBride  
Jere W. McBride

STATE OF TEXAS:

COUNTY OF GALVESTON

Before me this 31 day of January, 2002, personally appeared JERE W. MCBRIDE known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public

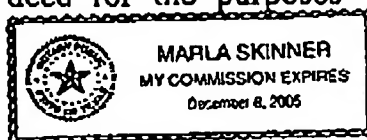


My Commission Expires:

DATE: 1/31/02Xue-Jie YuSTATE OF Texas:COUNTY OF Galveston:

Before me this 31 day of January, 2002, personally appeared Xue-Jie Yu known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public



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